



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

09/451,167	11/30/99	UUSIMAKI	M 944-001.005
------------	----------	----------	---------------

004955 WM01/0907  
WARE FRESSOLA VAN DER SLUYS &  
ADOLPHSON, LLP  
BRADFORD GREEN BUILDING 5  
755 MAIN STREET, P O BOX 224  
MONROE CT 06468

EXAMINER

ABDULSELAM, A

ART UNIT

PAPER NUMBER

2674

DATE MAILED:

09/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
**09/451,167**

Applicant(s)

**Matti Uusimaki**

Examiner

**Abbas Abdulselam**

Group Art Unit

**2674**



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-30 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-30 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 4

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2674

## **DETAILED ACTION**

### **Claims**

1. Claim 14 is objected to because of the following informalities: The dependant claim fails to refer other claims. Appropriate correction is required.

### **Claim Rejections 35 U.S.C. 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colonna et al. (USPN 6115620) in view of Jambhekar et al. (USPN 5715524).

Regarding claim 1, Colonna teaches about a portable communication device (100), hinge assembly (214), first housing element (202), and second housing element (204) that is movable relative to first housing. See column 3, lines 61-67, and column 4, line 16. In addition Colonna teaches about a sensor producing a position signal to indicate the position of the second housing element relative to the first housing element. See column 2, lines 45-51. However, Colonna does not teach about the position of a contact force applied by the user on the moveable housing element. Jambhekar on the other hand teaches about a switch (127) providing a signal responsive to the moving housing element (109) moving to open position. See column 3, lines 66-67, column 4, lines 1-11, and Fig 3.

Art Unit: 2674

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Colonna's device to include Jambhekar's switch and switch activating device. One would have been motivated in view of the suggestion in Jambhekar that the desired position of contact force can be equivalently obtained by Jambhekar's switch and switch activating mechanism. The use of switch and switch activating device helps function movable housing element in a communication device as taught by Jambhekar.

Regarding claims 2-3 and 28, it has been discussed above.

Regarding claims 4, 9 and 27 Jambhekar teaches about the main body housing element (107) including radio circuitry (113), and a user interface (117). See column 2, lines 39-60. Also see Fig 3. Jambhekar also teaches about a plurality of function keys including function keys and numbers. See column 3, lines 42-50.

Regarding claims 5 and 18 , see Jambhekar's Fig 3.

Regarding claims 6 and 7, Colonna teaches about a controller (106), user interface (110) with respect to RF signals. See column 2, lines 65-67, and column 3, lines 1-7.

Regarding claim 8, Jambhekar teaches about part of the device as being made of piece of molded plastic and rubber like material. See column 13, lines 55-58.

Regarding claims 10 and 29 Colonna teaches about different types of input devices as wells as different electronic devices such as radiotelephone and PDA. See column 2, lines 60-65. Also see column Fig 2 and 3

Regarding claim 11, Jambhekar teaches about a display (119), see Fig 1,

Regarding claim 12, See Jambhekar's Fig 1 and 3.

Art Unit: 2674

Regarding claim 13, Colonna's teaches about sensor circuitry. See Fig 8.

Regarding claims 14, 17, and 19-20 Column teaches about speaker (10) and radiotelephone system. See Fig 12. Colonna also teaches about, keypad (206) along with controller (106), user interface (110), and 19 and transmission of RF signals data including voice and control signals. See Fig 1, and 2.

Regarding claim 15, see Colonna's's Fig 3.

Regarding claim 16, Jambhekar teaches about the depression of keys and pressure against the touch screen. See column 3, lines 58-65.

Regarding claims 21-26, 30, see Jambhekar's Fig 1-3.

### **Conclusion**

3. The prior art made of record and not relied upon is considered to applicant's disclosure.

The following arts are cited for further reference.

U.S. Pat No. 5,465,401 to Thompson

U.S. Pat No. 5,434,566 to Iwsa et al.

U.S. Pat No. 5,220,318 to Staley

U.S. Pat No. 6,216,989 to Shioya et al.

4. Any response to this actions should be mailed to

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Any inquires concerning this matter should be addressed to Abbas abdulsalam Tel (703) 305-8591. The examiner can normally be reached on Monday through Friday (5:00-5:30).

Art Unit: 2674

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Richard Hjerpe can be reached o (703) 305-4709. The fax numbers for the organization where this application or proceeding is assigned is (703) 308-6306.

Any inquires of a general nature or relating to the status of this application should be mailed to the receptionist whose telephone number is (703) 305-4700

Abbas abdulsalam

Examiner

Art Unit 2674



**RICHARD HJERPE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**